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8 Adam Burnside, Jo Gentry, John King,
Timothy Knatz, Joseph Kobrick, and
9 Gillian Lambey*

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12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 CURTIS L. DOWNING,

15 Plaintiff,

16 v.

17 JO GENTRY, *et al.*,

18 Defendants.

Case No. 2:16-cv-02632-RFB-PAL

**DEFENDANTS' MOTION TO
EXTEND STAY FOR SETTLEMENT
PURPOSES**

(Second Request)

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20 Defendants Rama Akash, Adam Burnside, Jo Gentry, John King, Timothy Knatz,
21 Joseph Kobrick, and Gillian Lambey, by and through counsel, Adam Paul Laxalt, Nevada
22 Attorney General, and Jared M. Frost, Senior Deputy Attorney General, hereby move this
23 Court to extend the stay for an additional twenty-one (21) days for the purposes of
24 settlement discussions.

25 On October 25, 2017, the Court imposed a ninety (90) day stay for the purposes of
26 settlement discussions and referred the case to the Inmate Early Mediation Program. *See*
27 ECF No. 6. On January 17, 2018, the Court extended the stay for an additional thirty (30)

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1 days for settlement purposes. ECF No. 12. The stay is currently set to expire on
2 February 22, 2018. *Id.* Pursuant to Rule 6(b)(1)(A), this Court may extend the stay for good
3 cause.

4 Defendants submit that there is good cause to extend the stay for an additional thirty
5 (30) days. On January 5, 2017, the parties participated in a mediation conference. ECF
6 No. 10. The parties did not reach a resolution at the conference but agreed to continue
7 informal negotiations in an effort to reach an agreement. *Id.* Since the Court granted an
8 extension to the stay on January 17, the parties have exchanged correspondence and
9 spoken twice by phone in an effort to move the negotiations forward. However, the parties
10 have been unable to conclude their negotiations within the thirty (30) day period due to the
11 replacement of SDCC Warden Jo Gentry, who was serving as the NDOC representative for
12 this matter, with Warden Jerry Howell on February 13, 2018. Defendants therefore request
13 that the stay be extended for an additional twenty-one (21) days to allow the parties to
14 conclude their negotiations and so that Plaintiff is not prematurely charged the filing fee
15 in this case. Defendants further request that they be permitted to file the stay report form
16 at the conclusion of the extended stay period.

17 DATED this 21st day of February, 2017.

18 ADAM PAUL LAXALT
19 Attorney General

20 By: /s/ Jared M. Frost
21 JARED M. FROST (Bar No. 11132)
22 Senior Deputy Attorney General

Attorneys for Defendants

23 **IT IS SO ORDERED.** The stay in this case is extended for an additional twenty-
24 one (21) days. Defendants shall file their report on or before March 15, 2018.

25 DATED February 23, 2018

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27 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on February 21, 2018, I electronically filed the foregoing **DEFENDANTS' MOTION TO EXTEND STAY FOR SETTLEMENT PURPOSES (Second Request)** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, addressed to the following:

Curtis Downing, #18675
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, Nevada 89070
Plaintiff, Pro Se

/s/ Carol A. Knight
CAROL A. KNIGHT, an employee of the
Office of the Nevada Attorney General